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Title: COMBINED THERAPIES FOR ATHEROSCLEROSIS TREATMENT  
 Inventor(s): David ELSLEY  
 Appl. No.: 10/089,362

Dkt. No. 355908-2650  
 GFS (4/29/05)

MAY 09 2005

- Amendment (11 pgs.);
- Amendment Transmittal (3 pgs.);
- Executed Substitute Declaration (3 pages)

Due Date: April 29, 2005  
 Date Filed: May 4, 2005

Attorney Initials: GFS/mnr  
 Insp. By:

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Atty. Dkt. No. 355908-2650

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David ELSLEY


Title: COMBINED THERAPIES FOR  
ATHEROSCLEROSIS  
TREATMENT

Appl. No.: 10/089,362

Filing Date: 1/14/2003

Examiner: Henley III, R.J.

Art Unit: 1614

<b>CERTIFICATE OF EXPRESS MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
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Rene Campos (Printed Name)	
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**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ Executed Substitute Declaration Enclosed.

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	22	-	28	=	0	x	\$50.00	=	\$0.00
Independent Claims:	4	-	4	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL									= \$0.00

XXXX.XXXXXX.

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

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<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

- ☐ Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 4/29/05

FOLEY & LARDNER LLP  
Customer Number: 38706  
Telephone: (650) 251-1103  
Facsimile: (650) 856-3710

By Gerald F. Swiss

Gerald F. Swiss  
Attorney for Applicant  
Registration No. 30,113

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Attorney Docket No. 355908-2650  
Application Serial No. 10/089,362

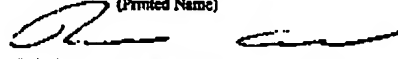
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David ELSLEY  
Title: COMBINED THERAPIES FOR  
ATHEROSCLEROSIS  
TREATMENT  
Appl. No.: 10/089,362  
Filing Date: January 14, 2003  
Examiner: R. J. Henley III  
Art Unit: 1614

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Rene Campos

(Printed Name)



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April 29, 2005

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**AMENDMENT AND REPLY UNDER 37 C.F.R. § 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment and Reply is responsive to the non-final Office Action dated February 4, 2005, concerning the above-referenced patent application. This Office Action set a three month period for response and this Amendment and Reply is being filed on or before its due date of May 4, 2005.

Amendments to the Specification begin on page 2 of this document.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this document.

Remarks/Arguments begin on page 8 of this document.

Please amend the application as follows: